

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Curtis DOBSON *et al.*

Application No. : 10/586,416

Filed : February 28, 2005

For : TREATMENT OF BACTERIAL INFECTIONS

Examiner : To be assigned

Art Unit : To be assigned

Docket No. : 81599-4

Date : January 23, 2009

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents:

Applicants received a Notice, dated October 15, 2008, which indicated that Applicants' Response to Notification of Missing Requirements, filed August 28, 2008, was defective. The Response to Notification of Missing Requirements required the filing of a corrected Sequence Listing in computer readable form. Accordingly, Applicants hereby submit the following:

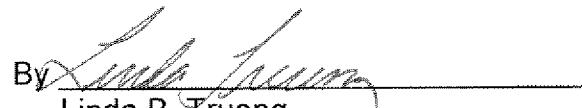
- Substitute Sequence Listing ("paper" copy)
- Substitute Sequence Listing (computer readable form – "txt" file)
- Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825
- Second Preliminary Amendment
- Copy of the Notification of Defective Response, dated October 15, 2008
- Copy of the Notification of Missing Requirements, dated July 1, 2008
- Petition for a five month extension of time

There are no sequences present in the specification for SEQ ID NOs: 17, 18, 40, 43, 44, 45, 46, and 79. Therefore, pursuant to 37 C.F.R §1.821(c), code "000" appears in place of the sequence for those sequence identifiers. The Substitute Sequence Listing (both "paper" copy and computer readable form) reflects this correction.

The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 04-0258.

The Commissioner is hereby requested to enter the Sequence Listing into the record as part of the application. No new matter has been added. Should anything further be required, it is requested that the undersigned be contacted immediately.

Respectfully submitted,
Curtis DOBSON *et al.*
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